

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SYLVINA JEAN CLAVIEN and RAPHAEL DANIS,

Plaintiffs,

v.

GREYHOUND LINES, INC., and "JOHN DOE", that
name being fictitious, his true name being unknown to
Plaintiff,

Defendants.

-----X
GREYHOUND LINES, INC.,

Third-Party Plaintiff,

v.

MOTOR COACH INDUSTRIES, INC., UGL
UNICCO, Formerly Known as UNICCO Service
Company and THE GOODYEAR TIRE &
RUBBER COMPANY,

Third-Party Defendants.

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Third-Party Defendant, UNICCO Service Company d/b/a UGL Unicco s/h/a UGL
UNICCO, Formerly Known As UNICCO Service Company, by its attorneys QUIRK AND
BAKALOR, P.C., sets forth the following in response to the cross-claims of the Third-Party
Defendant THE GOODYEAR TIRE & RUBBER COMPANY ("GOODYEAR") upon information
and belief:

FIRST: Deny each and every allegation contained in the paragraphs of
GOODYEAR's answer to Third-Party complaint numbered "132", "133" and "148" and refers all
issues of contract interpretation and law contained therein to this Court.

ANSWER TO CROSS-CLAIMS

08 CIV 3566 (PKL)

[Related to
06 CIV 13371 (PKL)]

SECOND: Deny having knowledge or information sufficient to form a belief as to any of the allegations contained in the paragraphs of GOODYEAR's answer to Third-Party complaint numbered "141", "142", "144", "145" and "146" and refers all issues of contract interpretation and law contained therein to this Court.

THIRD: Deny each and every allegation contained in the paragraph of GOODYEAR's answer to Third-Party complaint numbered "143".

FOURTH: Deny each and every allegation contained in the paragraph of GOODYEAR's answer to Third-Party complaint numbered "147" except admits that this answering defendant did not accept GOODYEAR's demand for indemnity and refers all issues of the law contained therein to this Court.

WHEREFORE, defendant UNICCO Service Company d/b/a UGL Unicco s/h/a UGL UNICCO, Formerly Known As UNICCO Service Company, demands judgment dismissing the cross-claims in Third-Party Defendant GOODYEAR's answer to Third-Party complaint, together with the costs, disbursements and attorneys' fees of this action.

Dated: New York, New York
May 19, 2008

Yours, etc.

QUIRK AND BAKALOR, P.C.

By: 

Scott P. Taylor (7761)

Attorneys for Third-Party Defendant
UNICCO Service Company d/b/a UGL
Unicco s/h/a UGL UNICCO, Formerly
Known As UNICCO Service Company
845 Third Avenue
New York, New York 10022
(212) 319-1000

TO: NEIL MOLDOVAN, ESQ.
Attorneys for Plaintiffs
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Carle Place, New York 11514

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Kevin B. Pollak (KBP 6098)
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Third-Party Plaintiff*
GREYHOUND LINES, INC.
570 Lexington Avenue, 4th Floor
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(212) 644-4420

NOVACK BURNBAUM CRYSTAL LLP
Attorneys for Third-Party Defendant,
MOTOR COACH INDUSTRIES, INC.
300 East 42nd Street
New York, New York 10017
(212) 682-4002

HERRICK, FEINSTEIN, LLP
Attorneys for Third-Party Defendant
**THE GOODYEAR TIRE &
RUBBER COMPANY**
2 Park Avenue
New York, New York 10016
(212) 592-1400

I affirm that the foregoing statements are true, under the penalties of perjury.

Dated:

STATE OF NEW YORK, COUNTY OF

SS.:

The name signed must be printed beneath

I, the undersigned, being duly sworn, depose and say: I am

☐ Individual
Verification

in the action; I have read the foregoing

and know the contents thereof; the same is true to my own knowledge, except
the of

☐ Corporate
Verification

a

corporation and a party in the within action; I have read the foregoing

and know the contents thereof; and the same is true to my own knowledge,

except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true. This
verification is made by me because the above party is a corporation and I am an officer thereof.

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

Sworn to before me on

The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF New York

SS.:

(If more than one box is checked—indicate after names type of service used.)

I, the undersigned, being sworn, say: I am not a party to the action, am over 18 years of age and reside at Valley Stream, N.Y.

May 20, 2008

Answer to Cross-Claims

I served the within

☒ Service
By Mail

by mailing a copy to each of the following persons at the last known address set forth after each name below.

☐ Personal
Service on
Individual

by delivering a true copy of each personally to each person named below at the address indicated. I knew each person served
to be the person mentioned and described in said papers as a party therein:

☐ Service by
Electronic
Means

by transmitting a copy to the following persons by ☐ FAX at the telephone number set forth after each name below ☐ E-MAIL
at the E-Mail address set forth after each name below, which was designated by the attorney for such purpose, and by mailing a
copy to the address set forth after each name.

☐ Overnight
Delivery
Service

by dispatching a copy by overnight delivery to each of the following persons at the last known address set forth after each name
below.

NEIL MOLDOVAN, ESQ.

Attorneys for Plaintiffs

SYLVINA JEAN CLAVIEN and RAPHAEL DANIS

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MOTOR COACH INDUSTRIES, INC.

300 East 42nd Street

New York, New York 10017

Dara L. Rosenbaum

DARA L. ROSENBAUM
Notary Public, State of New York
No. 02RO6117218
Qualified in New York County
Commission Expires October 25, 2008

Ludy Aristilde

The name signed must be printed beneath

Sworn to before me on

May 20, 2008

Ludy Aristilde

SOUTHERN DISTRICT OF NEW YORK

SYLVINA JEAN CLAVIEN and RAPHAEL DANIS,

Plaintiff,

-against-

GREYHOUND LINES, INC. and "JOHN DOE", that
name being fictitious, his true name being unknown to
plaintiff,

Defendant.

AND OTHER ACTIONS**ANSWER TO CROSS-CLAIMS****QUIRK AND BAKALOR, P.C.**

Third-Party Defendant, UNICCO Service Company
d/b/a/ UGL Unicco s/h/a UGL UNICCO, Formerly Known As
Attorney(s) for UNICCO Service Company

Office and Post Office Address, Telephone

845 Third Avenue
NEW YORK, NEW YORK 10022
(212) 319-1000

To

Signature (Rule 130-1.1-a)

Print name beneath

Service of a copy of the within is hereby admitted.

Attorney(s) for

Dated: _____

PLEASE TAKE NOTICE:☐ NOTICE OF ENTRY

that the within is a (*certified*) true copy of a
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order
will be presented for settlement to the HON.
within named Court, at
on _____ at _____ M.

Dated,

of which the within is a true copy
one of the judges of the

Yours, etc.

QUIRK AND BAKALOR, P.C.